

Evolution of the City of Gainesville's Zero Waste Ordinances

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City of Gainesville, Solid Waste Division



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In the Beginning...

Single-Use Plastic Straw and Stirrer Ban - January 1, 2020

- Ban on single-use plastic straws and stirrers by food service providers and retail establishments.
- Ban includes straws made from “biologically-based polymers” (e.g., “PLA” or “PHA” materials).
- Acceptable single-use alternatives include paper, bamboo, and wheat products.

The ban on plastic straws and stirrers was never intended to significantly reduce landfill waste. Instead, was aiming to:

- Assess public response to reducing plastic pollution and its impact on wildlife.
- Measure people's willingness to forgo small conveniences. Gauge what sacrifices people are willing to make.



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Formation of the Zero Waste Subcommittee

Fall 2020 - Formation of the City's Zero Waste Subcommittee

- City Council members (4), Public Work/Solid Waste Staff, City Attorney's Office (1), various stakeholders, and other interested public members.

October 2020 to Spring 2022 - Drafting of Zero Waste Ordinances

- SWD conducted research on each topic, with presentations and discussions held at bimonthly meetings.
- Researched what is working for other communities.

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Florida State Statutes

Florida Statute 403.7033 Departmental analysis of particular recyclable materials – ... a local government, local governmental agency, or state governmental agency may not enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags.

Florida Statute 500.90 Regulation of polystyrene products preempted to department – ... does not limit the authority of a local government to restrict the use of polystyrene by individuals on public property, temporary vendors on public property, or entities engaged in a contractual relationship with the local government for the provision of goods or services, unless such use is otherwise preempted by law.



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Passage/Enactment

June 2, 2022 - Zero Waste Ordinances Passed/Adopted

The following ordinances took effect upon the passage:

- Prescription Take Back
- Single-Use Plastic Food Accessories By Request Only
- Public Litter Receptacles
- Standardization of Waste Decals
- Expanded Polystyrene Containers (Foam Containers) Ban on City Property
- Ban on the Intentional Release Outdoors of Plastic Confetti, Glitter or Balloons



Review ordinances online at gainesvillefl.gov/ZeroWaste

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Boost to Existing Mandatory Commercial Recycling at MFPs

Multi-Family Residential Properties must establish a recycling program that:

1. Includes recycling of all designated recyclable materials (Corrugated Cardboard, Paperboard, Newspaper & Magazines, Office Paper, Metal Cans, Glass Bottles & Jars, and Plastic Bottles, Jugs & Jars)
2. Recycling must be as convenient and accessible to residents as garbage collection.
3. Provide an adequate level of service and capacity of designated recyclable collection containers.
4. Post and maintain recycling educational signs in common areas where recyclables are collected.
5. Distribute recycling information to all tenants at least once annually and to all new tenants on move-in.
6. Provide at least one indoor recycle storage container per unit.



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Mandatory Commercial Recycling Ordinance Tweaks

Updated “de minimus” definition to “threshold” Mandatory Commercial Recycling Ordinance issue

- De minimus quantity shall mean no more than 15 percent by volume of total designated recyclable materials, regardless of type, in a solid waste load delivered to a city facility or a facility under contract with the city or in a solid waste container at the point of generation.

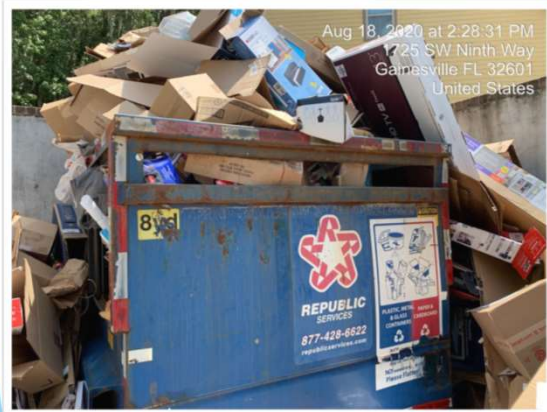
Updated “Burden of Proof” over/under 15% de minimus quantity

- Mandatory Commercial Recycling Ordinance now applies to “all” commercially-collected generators.
- To qualify for an exemption, a commercial generator must submit a request and provide proof that their waste volume falls below the 15% de minimus threshold.

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Excessive Waste at MFPs during move-in/move-out periods

Overfull cardboard dumpster



Roll-off with reusable furniture

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Lease Transition Plans

MFPs to submit plans to divert usable and functioning household goods, furnishings, electronics, and recyclable cardboard resulting from the high volume move-in and move-out periods (April 20 - May 15 and July 20 - August 25 of each year).

At a minimum the plan must contain:

- A. An affirmation that the commercially-collected property will provide notice to tenants at least one month in advance of the move-out period that encourages the sale or donation of goods, the location of the donation collection site, and the availability of free goods at the donation collection site;
- B. The location of the donation collection site; and
- C. A plan for protection of the collected goods from adverse weather conditions (including rain); and
- D. Identify the local reuse organization(s) that will accept the donated goods.

Effective Dates:

7/1/2023 for MFPs with 200 or more leased units

1/1/2025 for MFPs with 50 or more lease units

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Food Waste

Definition of Food Waste

- Food waste shall mean food that is no longer edible or fit for human or animal consumption, nonedible parts of food, or food soiled paper, resulting from food production, preparation, and consumption activities of animals and humans that consists of, but not limited to, vegetables, grains, animal products and byproducts, that have known compostable potential and can be separated from the solid waste stream.

6/1/2023 - Commercial establishments that generate one cubic yard of food waste or more per week shall separate food waste from the waste stream and collect food waste in containers that are separate from garbage and recovered materials.

Options:

- Proof of valid current contract with a food waste registrant collector; or
- Provide receipt for delivery of food waste to a food waste processing facility that meets permitting requirements of the State of Florida.

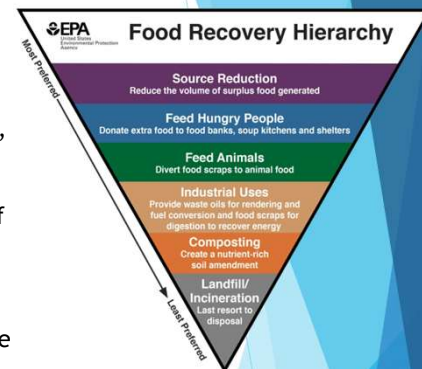


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Food Diversion

6/1/2023 - Food retailers that occupy at least 25,000 sq. ft. (including but not limited to grocery stores, convenience stores, meat markets, poultry markets, fish and related aquatic food markets, and produce markets) shall divert food or food waste from the waste stream following the hierarchy (listed in order of priority):

1/1/2024 - Food service establishments that occupy at least 4,500 sq. ft., businesses with a commercial kitchen(s) where the kitchen(s) occupies at least 1,000 sq. ft. (including but not limited to grocery stores, convenience stores, meat markets, poultry markets, fish and related aquatic food markets, and produce markets) shall divert food or food waste from the waste stream following the hierarchy (listed in order of priority):



- Feeding hungry people;
- Feeding animals;
- Providing for industrial uses; and/or
- Composting.

Educational Materials

Road to Zero Waste - Food Service Establishments

(Restaurants, Bars & Grocery Stores)

Zero Waste Ordinances

- Separate and recycle designated materials from the waste stream.
- Food service providers shall not sell, use, or offer for sale a single-use plastic straw or stirrer.
- Prepared food providers shall only supply plastic utensils, condiment packets or portion cups upon customer request or at self-serve stations.
- Garbage with food waste cannot remain unserviced for more than two consecutive working days.
- Place an equal number of recycling receptacles with proper city approved labeling.
- Divert food or food waste from the waste stream (effective June 2023).

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Commercial Recycling Ordinance
Separate and recycle designated materials from the waste stream.

Single-Use Plastic Straw & Stirrer Ban
Food service providers shall not sell, use, or offer for sale a single-use plastic straw or stirrer.

Commercial Collection Frequency
Garbage with food waste cannot remain unserviced for more than two consecutive working days.

Public Litter Receptacles
Place an equal number of recycling receptacles with proper city approved labeling.

Single-Use Plastic Accessories By Request
Prepared food providers shall only supply plastic utensils, condiment packets or portion cups upon customer request or at self-serve stations.

Commercial Food Waste Collection & Diversion
Divert food or food waste from the waste stream (effective June 2023).

City of Gainesville

Zero Waste Initiative

Educational Materials

Road to Zero Waste - Multifamily

(Apartments & Condominiums)

Multifamily Recycling Ordinances

- Recycling must be as convenient and accessible to residents as garbage collection.
- Provide an adequate level of service and capacity of designated recyclable collection containers.
- Post and maintain recycling educational signs in common areas where recyclables are collected.
- Distribute recycling information to all tenants at least once annually and to all new tenants on move-in.
- Provide at least one indoor recycle storage container per unit (effective October 2023).

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City of Gainesville Zero Waste

The City of Gainesville has set a goal to go Zero Waste by 2040. To reach this goal, the city has enacted several ordinances designed to reduce consumption, increase recycling opportunities, and improve community aesthetics.

Businesses are encouraged to rethink their waste and recycling practices to divert materials from landfills. Please review these ordinances to ensure that your business meets compliance.

For more information, visit: [GainesvilleFL.gov/ZeroWaste](https://gainesvillefl.gov/ZeroWaste)

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Solid Waste Division, MS 10
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Gainesville, FL 32602-0490



Commercial Recycling Ordinance

Recycling as Convenient as Garbage

Lease Transition Plan

Reuse Plan* to divert usable and functioning household goods, furnishings, and electronics, and recyclable cardboard resulting from the high volume move-in and move-out periods.

*2000 units or more by July 2025, 50 units or more by January 2026.

Collection Frequency

Multi-family properties shall have at a minimum twice per week garbage collection service.

Commercial Food Waste Collection

Divert food or food waste from the waste stream (effective June 2024).


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MFP Educational Materials

Zero Waste Multi-family Property toolkit designed to help managers and staff with:

- Evaluating their current waste streams and improving their onsite collection programs;
- Identifying the necessary steps to reach compliance with city ordinances;
- Increasing resident participation and understanding of collection programs; and
- Establishing a system to ensure long-term participation and success.

ZERO WASTE TOOLKIT FOR MULTI-FAMILY PROPERTY MANAGERS & OWNERS








Overflow

It is responsible for monitoring waste containers from being filled to a height. For the highest portion of the container (rubble or recycle containers on your job or periodically overflowing, contact the provider to increase the container collection.

It must complete and submit a Lease a Solid Waste Division (see Step 4).



Clearly Label Trash & Recycle Chutes

- Place trash and recycling labels directly on chutes to let tenants know which material goes in which chute.
- Help prevent large boxes from clogging up chutes by offering tenants a secondary location to recycle boxes. Be sure to post this information by each chute.

It is responsible for diverting recyclable cardboard year-round and during move-out periods.

Containers that are locked & not to be moved and (big). These containers are in forcing residents to locked & cluttered containers garbage from getting



Toolkit copy available at gainesvillefl.gov/Apartment-Recycling

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Miscues

We were too specific in some of our ordinance language.

1. “Square Footage” of food service establishments in Food Diversion Ordinance language.
 - Hard to measure. Maybe using “seating capacity” would have worked better for the dine-in establishments.
2. Longer phase-in periods to allow educational efforts and infrastructure to catch up.
 - Would have been better to have separated MFPs into four groups (300+, 200+, 100+, & 50+ and phased in over four years.
3. Some ordinances are more difficult to enforce than others.
 - Single-use Plastic Accessories and Releasing of Balloons.
4. Rushed to get new ordinances passed.
 - Some ordinance language could have used more editing time.

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Flexibility

If possible, separate out specific program elements from the actual ordinances to allow modifications as circumstances change.

1. Lease Transition Plans

- 👉 Designated Lease Transition Plan Area.
- 👉 Ordinance language locked in dates for Transition Periods.

2. Alternatives to plastic straws

- 👉 Ordinance language only allows for “paper, wheat, or bamboo” as alternatives.

3. Food Diversion

- 👉 Hierarchy provides food waste generators with options.

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Key Lessons Learned

1. “Field of Dreams” philosophy unsound method

- “Build it and they will come” is not a practical approach to developing local zero waste infrastructure.
- Better options to phase in implementation gradually and allow local infrastructure to scale up to local needs.

2. Enforcement Plan

- If you’re not prepared to enforce new ordinances and/or don’t have the full backing of upper management and council, then rethink your plan.
- Develop enforcement strategies well in advance of enacting new ordinances.

3. Educational Funding

- Prepare an adequate level of education funding and include education funding along with the passage of new ordinances.

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